### 01.09.2016

### M.A 336/2016 in O.A No 887/2016

Shri M.B Deshmukh Vs.

... Applicant

The State of Maharashtra & Ors... Respondents

- Heard Shri A.A Desai, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.
- Learned Advocate Shri Desai sought interim relief for staying the communication dated 16.8.2016, Exh-E, at page 22 of the Paper Book of the O.A.
- Learned P.O sought time to seek instructions. Time granted. Learned P.O is directed to produce the file where the original selection and app\_intment of the Applicant was made, before this Tribunal on the next date.
- Issue notice before admission made returnable on 6.9.2016.
- Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- The service may be done by Hand delivery, 8. speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.
- S.O 6.9.2016. Learned C.P.O waives service of notice

Vice-Chairman

DATE:

CORAM:

Hou'ble Shri. RAHV AGARWAL (Vice - Chairman)

Hon'ble Shri R. B. MALIK (Member) J

APPEARANCE:

Shrisma A. A

Advocate for the Applicant

- Shri /Smit: K.S. G. Ce Kee

C.P.O / P.O. for the Respondents

Akn

#### **ORIGINAL APPLICATION NO.859 OF 2016**

J.L. Itewad

.... Applicant.

Versus

The State of Maharashtra & Ors.

....Respondents.

Smt. Punam Mahajan, the learned Advocate for the Applicant.

Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

CORAM: JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 01.09.2016.

#### ORDER

- 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
- 2. Issue notice returnable on 21.10.2016.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharasntra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

- 7. Respondent No.2, Principal Secretary (Co-operation and Marketing), Co-operation. Marketing and Textile Department, Mantralaya is directed as follows:-
  - (a) Call for the papers of this O.A. for perusal.
  - (b) Call for the case papers which have led to conducting the raid on the Applicant and passing the order of suspension.
  - (c) Take information as regards the stage of investigation of possibility of filing the charge-sheet etc.
  - (d) Thereafter take a decision as to whether to continue or revoke the suspension and pass appropriate orders and thereafter communicate the decision as may be reached, it to the Applicant and to the learned P.O..
- 8. It shall not be necessary to file any affidavit-in-reply in this O.A., if compliance of directions contained in paragraph No.7 is done.
- 9. In the event the O.A. is to be contested, in that event only affidavit opposing O.A. be filed by answering each and every paragraph, point and averment.
- 10. Learned Advocate Smt. Punam Mahajan for the Applicant states that if at all affidavit-in-reply is to be filed, it shall suffice, if Respondent No.2 answers paragraph Nos.6.13 to 6.13.5, which is at page nos.5 to 7 of the paper book of O.A..
- 11. Steno copy and Hamdast is allowed to learned P.O.. Learned P.O. is directed to communicate this order to the Respondents.

12. S.O. to 21.10.2016.

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A.H. Joshi,

prk

## C.A.NO.136 OF 2014 IN ORIGINAL APPLICATION NO.275 OF 2010

Dr. B.B. Birajidar & Ors.

.... Applicants.

Versus

The State of Maharashtra & Ors.

....Respondents.

Smt. Punam Mahajan, the learned Advocate for the Applicants.

Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

CORAM: JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 01.09.2016.

#### ORDER

- 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
- 2. Learned P.O. Smt. K.S. Gaikwad for the Respondents on instructions from Shri Umesh Rathod, Desk Officer, Public Health Department, Mantralaya states as follows:-
  - (a) Order is complied with in the sense that the orders for absorption of the Applicants, as required, furtherance to the orders passed in O.A. are issued.
  - (b) Benefits which would accrue based on the said absorption shall be extended.
- 3. With the said compliance the order stands fully complied with.
- 4. It is seen that this Tribunal had granted the declaration in paragraph 8 of the order passed in O.A.No.275 of 2010 and granted relief in paragraph 9 in terms of prayer clause 15(a) of the O.A..
- 5. The said prayer i.e. contained in paragraph 15(a) contemplates consideration of Applicants' case in the background of declaration granted by this Tribunal.

- 6. Therefore, it shall be appropriate for the Contemnor to file affidavit stating as to whether the order passed by this Tribunal is implemented in its letter and spirit and if no compliance remains to be done.
- 7. Affidavit be filed by Contemnor and by no other subordinate officer.
- 8. Learned P.O. Smt. K.S. Gaikwad for the Respondents states that minimum four weeks time may be granted for filing affidavit.
- 9. Time as prayed for is granted.
- 10. Steno copy and Hamdast is allowed to learned P.O. Learned P.O. is directed to communicate this order to the Respondents.
- 11. S.O. to 18.10.2016.

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Sd/-(A.H. Joshi J.) Chairman

prk

Office Notes, Office Memoranda of Corum, Appearance, Tribunat's orders or directions and Registrar's orders

Tribunal's orders

### O.A. No.890 of 2016

Shri S.D. Deshmukh

.. Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

- 2. Issue notice returnable on 24.10.2016.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

(A.H. Joshi J.) Chairman

1.9.2016

(sgj)

DATE: 01 9 2016

Hon'ble Justice Shil A. H. Joshi (Chairman) Hon'tle Shil M. Remashkumar (Framber) A

APPEARLINGE:

Shris A: M. D. Lonkan

Advocate for the Applicant
Shri/Sp. . A J Chought
Cho/P.O. for the Respondent/s

Adj. To. 24 10/2016

Original Application No. 1995 of	20 District
Original Application No. of	Applicant/s
	· · · · · · · · · · · · · · · · · · ·
(Advocate	
	versus
The State of	of Maharashtra and others
The state of	
	Respondent/s
(Presenting Officer	)
	The second secon
Office Notes, Office Memoranda of Coram,	Or the setting and the
Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	O.A. No.434 of 2015
	Amuliaant
*	Smt. A.P. KhareApplicant
	Vs.
	The State of Maharashtra & Ors Respondents
e e	
•	Heard Smt. Punam Mahajan, learned Advocate for
	· .
	the Applicant and Miss Neelima Gohad, learned
	Presenting Officer for the Respondents.
	Troponing s area of
•	
	2. By consent adjourned to 20.10.2016.
	591-
	TAH KISHILL
	Chairman
	1.9.2016
ne la la su	
DATE: VI 3 12016	(sgj)
CORAM:	
Hon'ble Justice Shri A. H. Joshi (Chairman)	
Hon'bio Shri M. Camashkumar (Momber) A	
APPEARSNOE:	
ski/sm : Punam Managan	
Advocate for the Applicant	
Shows M.S. Neelima Gohad	
Shur/Son M. S. Neelima Go had	·
1d) To. 20 10 2016	·
Sign Comments of the Comments	
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Original Application No.	of 20	District	
			Applicant/s
(Advocate	)		
·			
	vers	18	
The Stat	te of Mahar	ashtra and others	•
			Respondent/s
(Presenting Officer		) "	
Office Notes, Office Memoranda of Coram, Appearance, TribanaPs orders or directions and Registrar's orders	,	Tribunal's orders	· .
	Date:	01.09.2016.	. ,
•		O.A.No.577 of	2016
	Smt. J.:	S. Markale	Applicant
		Vs.	
, v	The St	ate of Mah. & Ors.	Respondents
	1	11000	Iratre, the learned
		ate for the Applicant and	
	learne	ed Presenting Officer for the	Respondents. None
	for the	e Respondent No.3.	
	2.	Learned P.O. for the Respo	ondents prays for time
	for fil	ng reply.	
1/9/16	3.	S.O. to 26.9.2016.	
Mark Comment			
to af ble die die filmi (a. 11. joshi (Chairman) H <del>eal W. Glee ke gameshkumar (Member).A</del>		÷	0
SELECT. Chandrate			5//-
	i		correct of the same
November of the Applicant  This Control K.B. Bhise  C.R.O./ E.U., for the Respondent/s			(A.H. Joshi, )*) Chairman
	sba		
Adj. To 2-6   9   16:	3 · · · · · · · · · · · · · · · · · · ·		

Original Application No.	of f	20	Dis	STRICT	
Original Application 270					Applicant/s
(Advocate		· · · · · · · · · · · · · · · · · · ·	•		
(Advocate					
		versus			
Th	e State of	f Maharashtra	and others		
				I	Respondent/s
(Presenting Officer		,	)		
Office Notes, Office Memoranda of Appearance, Tribunal's orders directions and Registrar's order	01		Tribunal's o	orders	
		Date : 01.0	9.2016.	:	
			O.A.No	.777 of 2016	
		Shri G.B. Ga	wale		Applicant
			Vs.		
		The State	of Mah. & Ors.		Respondents
					,
		į	rd Shri L.S. Desh		•
		for the Ap	plicant and Smt	. K.S. Gaikw	ad, the learned
		Presenting	Officer for the R	espondent <b>s</b>	•
		2. Lea	rned Advocate	for the Ap	plicant Shri L.S.
•		ļ	has tendered a	•	
		i		, po 81	
		the notice	of the Tribunal.		
	•	3. Let	the notice be se	rved fresh.	
DATE: 1/9/16		4. S.C	o. to 24.10.2016.		
CORAM:					Ą
Hon ble Instite Shri A. H. Joshi (Chairt Hog 'ble Shri M. Rameshkumar (Membe					5/1-
APPEARANCE:	4n				I. Joshi, J.)
Shribber L.S. Deshmuk	- / ••	cha		,CI	hairman
Simi/3mt.: K.S. Galkwas C.P.O / F.O. for the Respondent/s	<b>}</b>	sba			
Ad To 24/10/16.					

Original Application No. of	20 District Applicant/s
(Advocate	)
4	versus
The State of	of Maharashtra and others
	Respondent/s
(Presenting Officer	)
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	O.A. No.863 of 2016
	Smt. M.S. DivekarApplicant
	Vs. The State of Maharashtra & OrsRespondents
	Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.
	2. Shri Bandiwadekar, Ld. Advocate prays for two weeks time to place on record copy of appeal memo filed by him wherein he had challenged the order passed by Collector refusing to treat the suspension period as duty period.
	3. S.O. to 6.10.2016.
DATE: 01 9 1016 CORAM:	(A.H. Joshi, JU Chairman 1.9.2016
Hon'ble Justice Shri A. H. Joshi (Chairman) Hom'ble Shel M. Raracshkumar (Member) A	(sgj)
MONTHOUSE: A.V. Bandiwalekan	
Advente for the Applicant Bhise Seri 18x 12 Kin B. Bhise 1001 the Kerthe Respondent/s	
Adi To: 6/10/2016	

Original Application No. of	20 District	Applicant/s
		Applications
(Advocate	)	
	versus	
The State o	of Maharashtra and others	
		Kespondent/s
(Presenting Officer	)	•
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.791 of	2016
	Smt. S.N. Atre	Applicant
	Vs. The State of Maharashtra & Ors.	Respondents
	Heard Smt. Archana B.I	K., learned Presenting
	Officer for Respondents No.1 to 3	
	2. Advocate for the Applicant	is absent.
	3. Ld. PO files reply. It is tal	ten on record.
•	4. Shri C.T. Chandratre, Ld.	Advocate undertakes to
	file Vakalatnama on behalf of res	pondent no.4.
	5. S.O. to 7.11.2016.	\$11
	- (1	A.H. Joshi, M. Chairman
DATE: 01 9 2016		1.9.2016
CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman)	(sgj)	
Hon'ble Ghri M. Ramesakumar (Member) A		
APPEARANCE: None for the Applicant		
Advocate for the Applicant Striffent: Archana B.K. CROTEO, for the Respondent/s		
Adı To. 7/11/2016		

Office Notes, Office Memoranda of Corum, Appearance, Tribunal's orders or directions and Registrar's orders

#### Tribunal's orders

#### O.A. No.876 of 2016

Shri A.B. Gaikwad

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

- 2. Issue notice returnable on 21.10.2016.
- Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

(A.H. Joshi, J Chairman

1.9.2016

(sgj)

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'bis Shri M. Anasshkumar (Member) A

Missey: Archana B. K.

Ad To 21/10/2016

### (G.C.P.) J 2260 (A) (50,000—2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of	20 District Applicant/s
-	
(Advocate	)
	versus
The State o	f Maharashtra and others
	Kespondent/s
(Presenting Officer	)
Office Notes, Office Memoranda of Corum, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.218 of 2015
	Shri C.G. GaikwadApplicant
	Vs. The State of Maharashtra & OrsRespondents
	Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.
	2. Ld. PO tenders reply. It is taken on record.
	3. Shri Bandiwadekar, Ld. Advocate prays for time to consider the reply and address on the next date.
DATE: 01/9/2016  CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Emeshkumar (Member) A  APPEARANCE: Shri S.A.: A-V. Ban iwad UKar  Advocate de S. B. Rhise	4. S.O. to 19.10.2016.  (A.H. Joshi, W)  Chairman 1.9.2016
Shri/o/ K. B. Bhise Cho/ Flor for the Cosporation/s	

Original Application No. of	20 DISTRICT
	Applicant/s
(Advocate	)
•	versus
The State of	of Maharashtra and others
	Respondent/s
(Presenting Officer	)
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.828 of 2016
	Shri A.G. BhambureApplicant Vs.
	The State of Maharashtra & Ors Respondents
	Heard Smt. Punam Mahajan, learned Advocate for
	the Applicant and Shri K.B. Bhise, learned Presenting
	Officer for the Respondents.
	Officer for the response
	2. Smt. Mahajan, Ld. Advocate has tendered pursis
	signed by the applicant stating that he is not interested in
	pursuing the OA and wants to withdraw the same.
•	F
•	3. Hence, OA is allowed to be withdrawn and
•	disposed off as such.
عدمامام الس	disposed off as such.
DATE: 01 3 2016	Schrift
CORAM) Hon'ble purifice that the Loshi (Chairman)	(A.H. Joshi, Chairman
H <del>on'bic 3l. in the same and a line (Momber)</del> A	Chairman 1.9.2016
APPBANA A COL	(sgj)
Sar Punam Mahajan	
Advocate le K. B. Bhisc Shri / Shi K. B. Bhisc	
Shri /Shit for the Ausgondent/s	
be withdrawn and	
disposed off no such.	
arzhozeo 1.	

Original Application No. of	District	
11	•	Applicant/s
(Advocate		
Auvocate		
	versus	
The State	of Maharashtra and others	
	· · · · · · · · · · · · · · · · · · ·	Respondent/s
(Presenting Officer	)	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date: 01.09.2016.	
	O.A.No.650 of 201	6
	5hri D.R. Madane	Applicant
	Vs. The State of Mah. & Ors.	Respondents
•	1. Heard Shri K.R. Jagdale, the	learned Advocate
	for the Applicant and Smt. Archana	
	Presenting Officer for the Responden	ts.
	2. Learned P.O. for the Respond	ents prays for two
	weeks time for filing reply.	
	3. Time as prayed for is granted.	,
(m	4. S.O. to 6.10.2016.	<b>\</b>
DATE: 1415 CORAM: Hen'ble Active Shri A. H. Joshi (Chairman) Hen'ble Active Shri A. H. Joshi (Member) A		.H. Joshi, 以 Chairman
Shiloman K.K. Jaglale Ad-10. It for the Applicant	350	
Self /Ores. to Archen 15. K. C.R.O./ f.O. for the Respondent/s		
Adulto Gliol 16.		

Original Application No. of	20 District	
Original Application 110.		. Applicant/s
	,	
(Advocate		
	versus	
The State of	f Maharashtra and others	÷
		Respondent/s
(Presenting Officer		
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.342 of 2016	
	GL.: D.I. Hotler	Applicant
	Shri P.L. Hotkar Vs.	
	The State of Maharashtra & Ors.	Respondents
	Heard Shri A.V. Bandiwadekar,	learned Advocate
	for the Applicant and Miss N.G.	
	Presenting Officer for the Respondents.	
	Fresenting Officer for the respondence.	
	2. It is seen that reply is not file	d by respondents
	no.3 and 4.	
	nos and n	
	3. The respondents are put to notice	e that if they fail
•	to file reply on or before next date, t	
	proceeded/heard and decided exparte ag	
	proceeded near a six account	,
	4. S.O. to 7.11.2016.	
	5. Steno copy and hamdast is all	owed. Ld. PO is
DATE: 1/4/16	directed to communicate this order to the	ie respondents.
CORAM:		
Hon'ole Justice Shri A. H. Joshi (Chairman)	(A.H. J	oshi in
Flon 'ole Eleri M. Rameshkumar (Member) A	Chair	XI .
APPEARANCE: Strigger A.V. Bardiukdeker	· · · · · · · · · · · · · · · · · · ·	2016
	(sgj)	
Advocate for the Applicant Shri /Smt : 11: 4: 4. 4. 4.		
C.P.O / P.O. for the Respondent/s		
Adj. To. 2/11/16. Sterocory 4		
Hampagt is allowed to La. P.O.		
11 a 2) D All May 10 Lail 10.		
g/k		:

Original Application No. of	20 Distinct
Original Application 10.	Applicant/s
(Advocate	) .
,	
	versus
The State of	f Maharashtra and others
The State o	
	Respondent/s
(Presenting Officer	
(Presenting Officer	
Office Notes, Office Memoranda of Coram,	
Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	O.A. No.558 of 2016
	Shri A V TodkarApplicant
	Shri A.V. Todkar Vs.
	The State of Maharashtra & Ors Respondents
	The blace of Management
	Heard Shri A.V. Bandiwadekar, learned Advocate
	for the Applicant and Miss N.G. Gohad, learned
	Presenting Officer for the Respondents.
	2. Shri Bandiwadekar, Ld. Advocate prays for leave
	to amend for amplifying the averments in para 6.13 of
•	
	the OA and add annexures and furnish fresh synopsis.
	3. Leave for amendment, addition of annexures and
	for substitution of index and synopsis is granted.
	Tot substitution of mach and system
	4. Amendment to be carried out within three weeks.
	4. Amendment to be carried out within three weeks.
	A 20 00 00 16 1
	5. S.O. to 29.9.2016.
. •	51/-
DATE: 1/9/16	arryogun
CORUM:	(A.H. Joshi, J.)
Hon'ble Justice Shri A. H. Joshi (Chairman)	Chairman
Hen'ble Sini M. Rameshkumar (Member) A	1.9.2016
APPEARANCE:	(sgj)
Shirtsing: Av. Bardi Waddler	
Advocate for the Applicant	
Shi 19me: N. G. Gohad	
C.P.O / P.O. for the Respondent/s	
o alalia	
C alalla	l l

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

#### Tribunal's orders

Date: 01.09.2016.

O.A.No.705 of 2016

Shri M.B. Sonawane

...Applicant

· Vs

The State of Mah. & Ors.

...Respondents

- 1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant is directed to serve fresh notice on the Respondents and he undertakes to serve.
- 3. Learned P.O. for the Respondents states after taking instructions from the Respondents that time may be granted.
- 4. Time can be granted, however certain actions on the part of the Respondent are required, which are as follows:-
  - (a) Respondents should examine Applicant's claim contained in O.A.
  - (b) If there is no legal impediment in considering and deciding Applicant's claim it be decided without loss of time.
  - (c) The relief to which the Applicant is entitled and found eligible, be given to him.
- 5. If the O.A. does not warrant contest, it shall not be necessary to file affidavit in reply.
- 6. Steno copy and Hamdast is allowed. Learned P.O. is directed to communicate this order to the Respondents.
- 7. S.O. to 3.10.2016.

A.H. Joshi, J.)

CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Sari M. Ramashkumar (Member) A
APPEARANCE:

APPEARANCE:
SLOTEL: A.V. Bandiulcde Ver

Advossite for the Applicant
Shri / Lint: K.D. B. 155
C.F.O / P.O. for the Respondent/s

DATE:

CGRAM:

Hod'ble Shif M. Rancchkumar (Member) A

Shifem:

Shifem:

Advecte for the Respondents

Shifem:

Advecte for the Respondents

The CLC V P.O. for the Respondents

Office Notes, Office Memoranda of Coram,

Appearance, Tribunal's orders or
directions and Registrar's orders

#### Tribunal's orders

Date: 01.09.2016.

O.A.No.581 of 2016

Shri P.S. Bodake

...Applicant

Vs

The State of Mah. & Ors.

...Respondents

- 1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
- The Commissioner, Food and Drugs Administration is directed as follows:-
  - (a) Call for the papers of the case, and read the O.A. himself.
  - (b) Call for the all concerned case papers, and read those himself.
  - (c) Ascertain the demand contained in O.A. and the day from which the Applicant claims that he was eligible to get Time Bound Promotion upon the completion of 12 years service.
  - (d) Ascertain from the record as to whether the Applicant was entitled to get time bound promotion.
- 3. If he finds that Applicant was entitled to Time Bound Promotion, and was wrongly denied, though Applicant was eligible, the Commissioner shall pass appropriate orders and take steps to disburse the benefits.
- 4. After completing study, if Commissioner finds that Applicant is not entitled for the benefit claimed by him, file affidavit stating the reasons for non granting the said benefit to the Applicant, and foundation thereof in law.
- 5. If it is found at the hearing that the Applicant's claim was denied due to flimsy &/ or untenable reasons and untenable contention is raised, exemplary cost would imposed.
- 6. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.
- 7. S.O. to 17.10.2016.

TA

DATE: 1/9/16

Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Remeshkumar (Member) A

APPEARANCE:

A.V. Bandivedeller

Advocate for the Applicant,

ShaldSint: K.S. CalKucd

C.P.O / P.O. for the Respondent/s

Adj To 12/10/16 Stero Copy of Hamologt is allowed to Ld. P.O.

Original Application No.	of 20 District	
		Applicant/s
(Advocate	· · · · · · · · · · · · · · · · · · ·	
Advocate		
	versus	
The Sta	te of Maharashtra and otners	•
		Respondent/s
(Presenting Officer		
(Trestning Officer		
Office Notes, Office Memoranda of Coram Appearance, Tribanal's orders or	, Tribunal's orders	
directions and Registrar's orders	Date: 01.09.2016.	
	O.A.No.799 of 20	16
	Smt. S.D. Tambe	Applicant
	Vs.	
	The State of Mah. & Ors.	Respondents
		Lolin K. D. Dhina
	1. None for the Applicant. He	
	he learned Presenting Officer for th	e Respondents.
•	LD O for the Bearond	ants Chri K R Rhise
	2. Learned P.O. for the Respond	
	has tendered affidavit-in-reply. It is	taken on record.
	11. 20 10 2016	
	B. Adjourned to 26.10.2016.	
		0
•	•	C11
, <del>-</del>		CAMINDEN
•	(A	.H. Joshi, 🌂
WATE: 1916		Chairman
( <u>10RAM)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)	sba	
Pent ble Shift me termestelumar (Member) A		
APPEAN (1902):		
sauses: Hone to the appl.		
Advec to for the Applicant		
ShelySmit: AYUNANA B.K. C.E.O./ H.O. For the Respondent/s		
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or leality		•

M.A./R.A./C.A. No.

of 20

ΙN

Original Application No.

of 20

#### FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders Date: 01.09.2016. O.A.No.336 of 2016 ...Applicant Shri B.R. Rangari Vs. ...Respondents The State of Mah. & Ors. Heard Shri A.V. Bandiwadekar, the lewarned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. Learned P.O. for the Respondents states that 2. affidavit in reply will be filed during the course of the day. Learned Advocate for the Applicant makes a 3. grievance that the amount of gratuity is not paid yet. Learned P.O. for the Respondents is directed to verify as to when the amount of gratuity would be paid DATE: CORAM: and make a statement on the next date. Hon'ble Justier Shel A. H. Joshi (Chairman) Hen't lo Sari vl. Rameshkumar (Member) A Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.

Althornoon A.J. Bandiyledeker

Adverse for the Applicant

Sha Bone: K.S. Gaixyod

C.YO/CO. for the Respondent/s

Adj. To. 8/4/16.

BE

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(A.H. Joshi, J\)
Chairman

6.

S.O. to 8.09.2016.

M.A./R.A./C.A. No.

of 20

ΙN

Original Application No.

of 20

### FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders Date: 01.09.2016. O.A.No.230 of 2016 ...Applicant Shri G.R. Khopkar ...Respondents The State of Mah. & Ors. None for the Applicant. Heard Ms. N.G. Gohad, 1. the learned Presenting Officer for the Respondents. Adjourned to 7.9.2016. 2. sba

CORME Hon'bl: Justice Shri A. H. Joshi (Chairman) Hon'ide Chel M. Ramesulumar (Member) A sans ... Home for the Advocase for the Applicant C.P.O. P.O. for the Respondent/s Adj. To. 719114.

Original Application No.	of 2	DISTRICT Applicant/s
(Advocate	,	)
		versus
	The State of	Maharashtra and others
	e.	Respondent/s
(Presenting Officer		<u></u> )
Office Notes, Office Memoranda Appearance, Tribunal's ord directions and Registrar's	ers or	Tribunal's orders
		Date: 01.09.2016.
		O.A.No.692 of 2016 Smt. P.B. KoreApplicant
		Vs. The State of Mah. & OrsRespondents
		1. Heard Smt. Punam Mahajan, the learned
		Advocate for the Applicant and Shri K.B. Bhise, the
		learned Presenting Officer for the Respondents.
		2. Learned Advocate for the Applicant prays for leave to amend in view of the fact that certain facts
		have surfaced in reply and averments in O.A. are
	5.	required.
		4. Learned Advocate for the Applicant undertaks to
•		carry out amendment within one week, if leave is
	to great the second	granted.
		5. Leave to amend is granted.
		6. Amendment be carried out within one week.
		7. S.O. to 8.09.2016.
		_ 541-
		(A.H. Joshi J.)

Chairman

t 1 A Mintion No	of 20	DISTRICT	
riginal Application No.	0.2		Applicant/s
.dvocate	) .		
.dvocate			
	versus		
The S	tate of Maharashtr		
			Respondent/s
Presenting Officer		)	
Office Notes, Office Memoranda of Cor- Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
	Date : 01.0	9.2016.	
		O.A.No.860 of 201	16
	P.J. Patil	•	Applicant.
	Versus	•	
	The State	of Maharashtra & Ors.	Respondents.
•	1. He	ard Smt. Punam Mahajan,	the learned Advocate
	for the	Applicant and Ms. N.G.	Gohad, the learned
	Presenting	g Officer for the Responden	ts.
			Ad I since for the
	l l	earned Advocate Smt. Pun	am Mahajan for the
	1 1 1	states as follows :-	
	Ap or	oplicant's suspension order der dated 29.08.2016.	has been revoked by
	3. In	view of the foregoing	O.A. has become
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pynam Mchajan			ł. Joshi, J.) airman
Adda The same	prk		
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on is disposed	of.		
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Original Application No.	of 20	DISTRICT	
			Applicant/s
	· · · · · · · · · · · · · · · · · · ·	v	
(Advocate	)	4	
	versus		
The Sta	te of Maharashtra a	nd others	
	,		Respondent/s
(Presenting Officer		) 	
Office Notes, Office Memoranda of Coran Appearance, Tribunal's orders or directions and Registrar's orders	1,	Tribunal's orders	
	Date : 01.09.20	16.	
,		O.A.No.138 of 2016	5
			, P A
	A.L. Pansare	•	Applicant.
	Versµs		
	The State of M	aharashtra & Ors.	Respondents.
	1. Heard S	Shri R.M. Kolge, the learr	ned Advocate for the
		Smt. K.S. Gaikwad, the	
			rearried resenting
	Officer for the	kespondents.	•
	2. Learne	d P.O. Smt. K.S.	Gaikwad for the
		has tendered the affi	
	Respondent N	o.4. It is taken on record	4.
	3. Learne	d Advocate Shri R.M. Ko	lge for the Applicant
•	1	to consider the reply	
	any.	· · ·	
DATE: 1/9/16			
<u> 1201.41412</u> Postitu Lustino Oli Pulsti Studesti, ( <b>Chairman)</b>	4. Time a	s prayed for is granted.	•
A state that he was able of Alember) A			
A CHARA	5. Adjour	ned to 26.10.2016.	1
R.M. Kolge		.*	
remain de de la glionit			MOZY.
C.P.O / P.O. for the Respondent/s		(A.H. Cha	Joshi, (I) irman
•	prk	J114	
Adj. To. 26/10/16.	_ '		•
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Original Application No. of	20	DISTRICT	
			Applicant/s
	)		•
(Advocate			
	versus	•	
The State of	f Maharashtra and othe	rs	
The brace o	I William and and and		The control of the second of t
		•/	Respondent/s
(Presenting Officer	)		
Office Notes, Office Memoranda of Corum,		وها و هم المحافظة المراكب و المحافظة ال	and the second s
Appearance, Tribunal's orders or	1	unal's orders	
directions and Registrar's orders	<u>O.</u> A	A. No.185 of 2016	
	Shri M.P. Sonawane Vs.		Applicant
	The State of Maharas	htra & Ors.	Respondents
	Heard Shri A.	V. Bandiwadekar,	learned Advocate
	for the Applicant		
	Presenting Officer fo		
•	2. Admit. To	come up for fina	al hearing in due
	course.		0
Section 1	,	1	
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		(A.H. J	Y.
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	(api)	1.9.	2016
	(sgj)		
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ATE: 1)9115			
ORAM:			
constitute distince Sari A. H. Joshi (Chairman)			
The state of the s			
A. V. Bardi Wadder			
Lectro, le disAmplicant		,	
Shri /Snu.: Ay Mana B.K. S.P.O / P.O. for the Respondent/s			
A 1 13		•	•
Ad) To To come up for Fired nearing in due course			
nearing in due course.			

Original Application No.	of 20	District
		Applicant/s
(Advocate	)	
	versus	
The Stat	e of Maharashtra and others	
		Respondent/s
(Presenting Officer	)	
Office Notes, Office Memoranda of Coram, Appearance, Tribanal's orders or directions and Registrar's orders	Tribunal	s orders
	Date : 01.09.2016.	
	O.A.No	.894 of 2016
	M.A. Desai	Applicant.
	Versus	
	The State of Maharashtra	& OrsRespondents.
	1. Heard Shri A.V.	Bandiwadekar, the learned
	Advocate for the Applicant	and Shri K.B. Bhise, the learned
	Presenting Officer for the R	espondents.
	2. Learned Advocate	Shri A.V. Bandiwadekar for the
		tunity to re-inspect the papers
,	and ask for the photo-copi	
	3. In view of the foreg	oing adjourned to 06.09.2016.
		_ Sd/-
DATE: 1/4/16		(A.H. Joshi, UI) Chairman
00243()	prk	Citatillan
Men'', Issael an Chrisé, H. Joshi (Chairman) Iss <del>ael an Albard Responsiblemen (Member) A</del>		•
A.u. Bandiule dever		
KB-Bhise		

Original Application No.	of 20	District	
			Applicant/s
(Advocate	)		
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The		arashtra and others	
	Ductio of Mark		Respondent/s
(Presenting Officer		)	
Office Notes, Office Memoranda of C Appearance, Tribunal's orders of directions and Registrar's order	or.	Tribunal's orders	
	Dat	e : 01.09.2016.	
		O.A.No.894 of 20	)16
	· M.	A. Desai	Applicant.
	Vei	rsus ·	
	The	e State of Maharashtra & Ors.	Respondents.
	1.	Heard Shri A.V. Bandiwa	adekar, the learned
	Ad	vocate for the Applicant and Shri	K.B. Bhise, the learned
	Pre	senting Officer for the Responder	nts.
		Learned Advocate Shri A.V.	Randiwadekar for the
	2.	plicant prays for opportunity to	
		d ask for the photo-copies of thos	
	3.	In view of the foregoing adjo	urned to 06.09.2016.
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			5d1-
DATE: 1916			H. Joshi, (I) hairman
005451	prk		
The Market Chaile, H. Joshi (Chairman)    One Market Chairman   Momber A			
A.v. bandiuledex	47		
K.B. Bhise			
A1. TO 6/9/16			

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

#### Tribunal's orders

Date: 01.09.2016.

O.A.No.697 of 2016

**B.D. Palange** 

.... Applicant.

Versus

The State of Maharashtra & Ors.

....Respondents.

- 1. Heard Shri C.T. Chandratre, the learned Advocate holding for Shri M.R. Kulkarni, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.
- 2. Office report shows that notice of this Tribunal is not taken and served on the Respondents.
- 3. Learned Advocate Shri C.T. Chandratre states that in view of following the subsequent developments:-
  - (a) Respondent has communicated to the Applicant the refusal to grant sanctioned leave.
  - (b) Applicant has now decided challenge the same by withdrawing the present O.A. and filing independent O.A.
- 4. In view of fresh cause of action that has accrued, this O.A. is allowed to be withdrawn, with liberty to file afresh.

(A.H. Joshi,

Cha

DATE: 1916

COLAM:
London Divide Surject Chairman)

- London Divide Surject Chairman

c. T. chardrete

C.P.O / F.O. for the Respondent/s

ad To Mis allowed to be withdrawn

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prk

M.A./R.A./C.A. No.

of 20

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Original Application No.

of 20

### FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date: 01.09.2016.

O.A.No.801 of 2016

Shri T.N. Munde

...Applicant

Vs. The State of Mah. & Ors.

...Respondents

- 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
- 2. Due to paucity of time, adjourned to 6.9.2016 at the bottom of the board.

(A.H. Joshi, J.) Chairman

sba

DATE: 119/16

CORASS

Monocomposition (Chairman)

Homography (Chairman)

ACPE Selection (Member) A

ACPE Selection (Member) A

Acre on the Applicant C.E.O. P.O. for the Respondent/s

Adj. To. 6/9/16.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

### O.A. No.761 of 2016

Shri A.V. Warghade

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri Uday Bhosale, learned Advocate for the Applicant and Sint. Archana B.K., learned Presenting Officer for the Respondents.

- In response to the query posed by this Tribunal to the Charity Commissioner in the order passed on 30.8.2016, today the Ld. PO has tendered a pursis dated 31.8.2016 signed by the Charity Commissioner, Mumbai stating that the applicant's request for posting of his choice can be considered at the time of annual general transfer to be effected in 2017.
- Applicant's urge is that in near future vacancy is likely to occur and applicant's request may be considered at that time even before the general transfers.
- The assurance of the Charity Commissioner that applicant's request would be considered during general transfer constitutes adequate assurance. Administration cannot be clamped with a direction to consider a request at a particular time and in a particular manner. The administrative needs and compulsions always have dominant role. Moreover, fairness in administration and exercise of direction is always to be believed to function and exist.

Hence, it shall suffice to dispose off the OA with the above observations.

> Chairman 1.9.2016

(sgj)

Hon'ble Justice Shri A. H. Joshi (Chairman)

AFFSAHANCE:

Shism: Uday Bhoscle

Advocate for the Applicant

Shri/Sme: Ayunana B.K. C.P.O / P.O. for the Respondent/s

OA is disposed of

Original Application No.	of 20	DISTRICT	
Original Application 110.			Applicant/s
(Advocate		•	•
	versus		
The S	tate of Maharashtra	and others	
			Respondent/s
(Presenting Officer		)	
(Presenting Officer			
Office Notes, Office Memoranda of Cor Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
	Date : 01.09.	2016.	
		O.A.No.688 of 20	)16
	Shri R.J. Ingav	vale	Applicant
		Vs.	Respondents
	The State of	Man. & Ors.	Respondents
	1. Hear	d Smt. Punam Mah	ajan, the learned
	Advocate for	r the Applicant and Smt	t. K.S. Gaikwad, the
	learned Pres	senting Officer for the	Respondents 1 & 2
	i	.D. Lonkar, the learned	
	Respondent		
			donts has tendered
		ned P.O. for the Respon	
	1	rmed by Dr. Jay V. Jadh	
	of Police, Pu	ine [Rural]. It is taken o	n record.
	3. In th	e midst of hearing it h	nas transpired that,
		the text of para 9 of the	
		, does not reveal ele	
	<b>1</b>		
DATE: 1916	j <del>ustifying</del> or	n facts and law to justify	the fransier.
CORAM:	4. Lear	ned P.O. for the Respon	dents prays for time
Hon'ble Justine Shri A. H. Joshi (Chairman Hon'ble Shri M. Ramashkusnar (Member) A	for enablir	ng her to apprise an	d communicate to
APCEARANCE:	Superinten		une [Rural], the
Stram Mchasn	· ·	as noted in the foregoing	g paragraph.

S.O. to 8.09.2016.

observations noted in the foregoing paragraph.

Ad. Conto for the Applicant

Shri /Sint : K.S. GajKwed

C.F.O / P.O. for the Respondent/s

Original Application No. of	` 20	Distriç	$\mathbf{r}$
			Applicant/s
(Advocate	· · · · · · · · · · · · · · · · · · ·		
Advocate	:		\$
	versus		
The State of	of Maharashtra a	nd others	
			Respondent/s
_		`	
(Presenting Officer		.,	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunat's orders O.A. No.440 o	
	Si invi D		Applicant
	Shri P.U. Rath Vs.	od	Applicant
		Iaharashtra & Ors.	Respondents
	1.6	N. CARD I when	loomed Advanta for th
			learned Advocate for the
	Applicant and	Miss Neelima Go	ohad, learned Presenting
	Officer for the	Respondents.	•
			in the manage if one
			in the progress, if any
	done by the re	spondents and pray	ys for time till 7.9.2016.
			0
	3. S.O. to	7.9.2016.	Χ,
DATE: 01 9 2016		1	5//_
CORAM: Hon'bre stanton Sh. I.A. H. Joshi (Chairman)			A.H. Joshi, <b>X</b> )
Hun'the Alai M. Reproduktumas (Momber) A		. (	Chairman
APPEARANCE:			1.9.2016
SUNSA: M.D. Lonkar	(sgj)		
Advacate for the Applicant			
MS. Neelinga Gohad		•	
No. 76. 7 9 12016			
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Original Application No. of	
	Applicant/s
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(Advocate	)
	versus
The State of	Maharashtra and others
	Respondent/s
(Presenting Officer	)
( )	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.166 of 2016
	Shri A.S. GarwareApplicant Vs.
	The State of Maharashtra & OrsRespondents
<i>,</i>	Heard Shri A.V. Bandiwadekar, learned Advocate
	for the Applicant and Shri A.J. Chougule, learned
	Presenting Officer for the Respondents.
	2. Admit. To come up for final hearing in due
	course.
	01/-
	(A.H. Joshi, A.) Chairman
DATE: 1 9 20 6	1.9.2016
CORAM!	(sgj)
Hon'ble Justine Shri A. H. Joshi (Chairman)	( Ca)
Hon bie slin et asmesükumar (Member) A	
ELVO / A V. Bondinaderan	
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Shri/Sov. A.J. Cheyne 200 res. for the less good onlys	
Admit	
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0.0	DISTRICT
Original Application No. of 2	Applicant/s
	·)
(Advocate	
	versus
	cas Lamphyre and others
The State of	f Maharashtra and others kespondent/s
	Respondence
	)
(Presenting Officer	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	M.A. No.74 of 2016 in O.A. No.166 of 2016
	A.S. GarwareApplicant
	Shri A.S. Gai ware
	Vs. The State of Maharashtra & Ors. Respondents
ı	
	Heard Shri A.V. Bandiwadekar, learned Advocate
	for the Applicant and Shri A.J. Chougule, learned
	for the Applicant and Shir A.s. Charge
	Presenting Officer for the Respondents.
	2. This MA is for condonation of delay.
	2. This MA is for condonation of acting
	3. The OA is delayed by 2 years and 1 month.
	3. The OA is delayed by 2 years
	Cause of action which the applicant wants to pursue is of
•	the delay caused is
	Continuous
	insignificant,
DATE: 01/3/2016	t to condoned
	4. Hence, MA is allowed and the delay is condoned.
CORAM:	
Hon'ble Justice Shri A. H. Joshi (Chairman)	_ 50/-
Hon'ble Shri M. Rameshkumar (Member) A	(A.H. Joshi W.)
APPEARANCE:	Chairman
Shirofi: A.V. Bandingdekar	1.9.2016
Advocate for the Applicant Chongue Shri/Sta: A.J. Chongue	(sgj)
Shri/St.: A.J. Chonzuc	
C.P.O / P.O. for the Respondent/s	
Adj. To M.A. is allowed.	

Original Application No. of	20 DISTRICT Applicant/s
	Application
(Advocate	)
	versus
The State o	f Maharashtra and others
	Respondent/s
(Presenting Officer	)
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.647 of 2016
	Shri K.W. HaralApplicant Vs.
	The State of Maharashtra & OrsRespondents
	Heard Shri A.V. Bandiwadekar, learned Advocate
	for the Applicant and Smt. Archana B.K., learned
	Presenting Officer for the Respondents.
•	2. Admit. To come up for final hearing in due
	course.
	Marakwa
	(A.H. Joshi, J.) Chairman 1.9.2016
	(sgj)
DATE: 010 2016	
Hon'ble Justice Shri A. H. Joshi (Chairman)  Hon'ble Shri M. Ratneshkumar (Member) A	
APPEARANCE: Shusy : A: V. Bandiwal-eyenr	
fulvousts for the Applicant	
16/8 Archana B. K.	
d. To -Admit	
(P)	

Original Application No. of	20	District
		Applicant/s
(Advocate	,)	•
	versus	
The State o	f Maharashtra and others	
		Respondent/s
(Presenting Officer	)	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's O.A. No	orders .693 of 2016
	Smt. P.A. Kudanar	Applicant
•	Vs. The State of Maharashtra &	& OrsRespondents
	Heard Smt. Archa	nna B.K., learned Presentin
	Officer for the Respondent	
	Officer for the recoporation	
	2. Advocate for the ap	plicant is absent.
	4. S.O. to 7.11.2016.	
		501-
		(A.H. Joshi, J)
. Int		Chairman
ATE:01 9 2016		1.9.2016
ORAM: ' on'ble Justice Shri A. H. Joshi (Chairman)	(sgj)	
on'bie Shri M. Kameshkumar (Member) A		
PPEARANCE:		
None for the Applicant		
dvocata for the Applicant		
hii /Smit. : Anchema B. K. #O / F.J. for the Respondent/s		
ds. To. 7 11 2016		
(R)		

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

#### Tribunal's orders

Date: 01.09.2016.

#### O.A.No.866 of 2016

Dr. R.M. Haridas

.... Applicant.

Versus

The State of Maharashtra & Ors.

....Respondents.

- 1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant, Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents and Shri A.V. Bandiwadekar, the learned Advocate for the Respondent No.3.
- 2. Issue notice returnable on 24.10.2016.
- Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O,A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 7. Learned Advocate Shri A.V. Bandiwadekar for the Respondent No.3 waives service and acknowledges that he has received the copy.
- 8. S.O. to 24.10.2016.

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(A.H. Joshi, )

CORON : don'ble herice is in A. H. Joshi (Chairman)

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Shelfon : S. Suyya Wen Sk.)

C.P.O / F.O. for the Respondent/s

Adj. To 24/10/16:

Original Application No.	of 20 DISTRICT
	Applicant/s
(Advocate	- Sppical Company
(Advocate	
	versus
The State	-CM )
The State	of Maharashtra and others
	Respondent/s
(Presenting Officer	)
Off N. College	
Office Notes, Office Memoranda of Corum, Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	Tribunal 5 of dets
	Date : 01.09.2016.
	O A No 225 a62046
	O.A.No.325 of 2016
	G.P. Rekulwad Applicant.
	Versus
	' · · · · · · · · · · · · · · · · · · ·
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri A.V. Bandiwadekar, the learned
	·
	Advocate for the Applicant and Shri K.B. Bhise, the learned
	Presenting Officer for the Respondents.
	2. Learned P.O. Shri K.B. Bhise for the Respondents
	prays for time for completing the action which is half way
	through and remaining steps would be completed after
	receiving options from the candidates.
····	3. For reporting as to whether the office of Divertor
1 a la L	as to whether the office of Director
ATE: 1/9/16 ORAM:	General of Police has communicated the call of option and
on'ble Justice Shri A. H. Joshi (Chairman)	out come if any, S.O. to 08.09.2016.
m'ble Sint M. Rameskhumar (Member) A	A
WEARANCE:	4. Steno copy and Hamdast is allowed to learned P.O
White: A.V. Bandiwadever	Learned P.O. is directed to communicate this order to the
constu for the Applicant	Respondents.
ri/Smt.: K. B. Bhise RO/RO. for the Respondent/s	
	· ·

prk

(A.H. Joshi, J.) Chairman

Original Application No. of	20 DISTRICT
	Applicant/s
(Advocate	)
	versus
The State o	f Maharashtra and others
	Respondent/s
(Presenting Officer	
(Fresenting Officer	
Office Notes, Office Memoranda of Coram,	
Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	O.A. No.781 of 2016
	Smt. M.R. GhateApplicant
	Vs.
	The State of Maharashtra & Ors Respondents
	Heard Shri A.V. Bandiwadekar, learned Advocate
	for the Applicant and Shri K.B. Bhise, learned Presenting
	Officer for the Respondents.
	Officer for the respondents.
	2. Ld. PO wants to verify whether the respondents
	have received notices/intimation and whether any
	communication is received in the office of CPO.
	3. S.O. to 7.9.2016.
	5. 5.0. to 7.5.2010.
1.1.1	Sd/-
DATE: 1916	(A.H. Joshi))
CORAM: Hon'bie Justice Shri A. II. Joshi (Chairman)	Chairman
Hog " le 3hri M. Rameshkumar (Member) A	1.9.2016
AFFEAR OFCE:	(sgj)
Stor San: A.V. Bandiwadeler	
Advocate & a Applicant	
Shri/Smt. L.K.B. Bhie	
C.P.O / P.O. for the Kespondent/s	
1 1.0	
Adj. To. 7 9 16.	
<b>y</b> E	

(Advocate	•	
(Advocate	*****	 

versus

The State of Maharashtra and others

(Presenting Officer.....

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

Date: 01.09.2016.

O.A.No.727 of 2016 with O.A.No.728 of 2016 with O.A.No.827 of 2016

Shri K.R. Khairnar (O.A.No.727 of 2016)

Shri K.D. Kabadi (O.A.No.728 of 2016) Shri V.S. Kokane (O.A.No.827 of 2016)

(O.A.No.827 of 2016) ...Applicants

Vs.

The State of Mah. & Ors.

...Respondents

- 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
- 2. Learned P.O. for the Respondents prays for time on the ground that affidavit is drafted by the Respondents and is affirmed without consulting the office of P.O., and it requires to be examined.
- 3. Learned P.O. for the Respondents Smt. K.S. Gaikwad should make statement on the point that as to whether affidavit is to be filed, and if filed, matter can be deferred on that date.
- 4. S.O. to 6.9.2016.

DATE: 1916
CORAM:
Hos ha Justice Siri A. H. Joshi (Chairman)
Hamber M. Rame Schwitz (Member) A
APTIM MCD:
Standard Manny Mchais
Advantage Corto Art Home
Charles A. Gordon Manny
Charles A. Gordon Man

(A.H. Joshi,(J))
Chairman

... Applicant

### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

Original Application No.	of 20	DISTRICT
		Applicant/s
(Advocate	)	
•	versus '	
The State	of Maharashtra and others	· · · · · · · · · · · · · · · · · · ·
		Respondent/s
(Presenting Officer	)	
Office Notes, Office Memoranda of Coram,		
Appearance, Tribunul's orders or directions and Registrar's orders	Tribunal's orders	
	01.09.2016	
	M.A 338/2016	in O.A No 158/2016

Shri A.B Patil

Heard V.A Mohite, learned advocate for the applicant, Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents no 1 & 2 and Shri C.T Chandratre, learned advocate for Respondent no. 3.

The State of Maharashtra & Ors... Respondents

This Misc Application is filed for amending the Original Application as per Annexure-E and the Applicant also wants to place on record certain documents which are also mentioned in the said Annexure. There is no objection from the learned P.O as well as Learned Advocate Shri Chandratre.

Misc Application is accordingly allowed. Learned Advocate Shri Mohite states that he will amend the O.A within one week and serve the amended copy on the Respondents within further two weeks.

O.A to be placed on board on 29.9.2016.

Vice-Chairman

Akn

DATE:

CORAM:

Hon'ble Shri. RAUV AGARWAL (Vice - Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Advocate for the Applicant

\_Muri/Smt : K · S · G

C.P.O. for the Respondents to. 122. C.T. Chandrate four R. NO. 3.

MA is Allowed. O.A. Adj. to 29/91

#### MUMBAI

### ORIGINAL APPLICATION NO.662 OF 2016

Shri D.L. Rane

.. Applicant.

Versus

The State of Maharashtra & Ors.

.. Respondents

Shri K.R. Jagdale - Advocate for the Applicant.

Smt. Archana B.K. - Presenting Officer for the Respondents.

CORAM

Shri Justice A.H. Joshi, Chairman

DATE

1<sup>st</sup> September, 2016.

#### ORDER

- 1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.
- 2. Ms. Pooja Dhok, Law Officer in the office of Commissioner of Police, Mumbai states as follows:-
  - (a) It is true that nobody appeared for the Commissioner of Police and other respondents on 18.8.2016 when the case was called out.
  - (b) In fact she was duly instructed to contact learned PO and she had arrived in the office of CPO and was actually giving instructions to the Ld. PO about present OA and had failed to attend the case at the time when it was called out.
  - (c) Failure to attend to the case and to remain present has occurred due to failure in her estimate about schedule.
- 3. The statement of the Law Officer is accepted and the order passed on 18.8.2016 is kept in abeyance, however the matter does not and cannot end there and some more and other clarification from the respondents is necessary.



- 4. Applicant's grievance pertained to failure of competent authority to take decision. It was liable to be taken by the respondent no.2 or by the respondent no.3 as the case be. Therefore, the concerned respondent ought to have taken initiative and decided the matter without losing time in directing the Law Officer to prepare to give instructions to defend the OA.
- 5. Whenever an OA is filed complaining inaction, action has to be the only defence. An attempt to defend inaction or lethargy, would constitute serious offence to good governance.
- 6. After receipt of notice of this Tribunal if the matter pertained to the power and authority of any other subordinate office, the respondent no.1 was expected to direct concerned competent subordinate authority to act punctually. Whenever any superior authority is added as a respondent, and a grievance is made against subordinates as regards inaction or delay, the superior has a bounden duty to direct the subordinate competent authority to address the aspect without any delay. It ought not and cannot suffice to let the subordinate to address the issue and the superior authority added as party simply ignores the notice of Tribunal.
- 7. The attitude of keeping the issues pending and then to lose time in defending the OA is to be deprecated. A grievance which is factually and legally justified, requires punctual and suo motu attendance as a goal of good governance.
- 8. By 18.8.2016, one month and 10 days time was available at the hands of the respondents, yet no decision was taken. Therefore, at least this aspect of delay in taking decision and even failing to prepare to reply needs to be attended by the Counmissioner himself.

O.A. No.662 of 2016

9. If the Commissioner of Police himself attends to this matter, recurrence of

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such situation in future can be avoided.

10. It would be necessary to know as to the manner in which the respondents

have acted after receipt of notice of this Tribunal. Therefore, the Respondents

No.1 to 3 are directed to produce on the next date, original notices received by

respective offices in order to demonstrate before this Tribunal to enable the

Tribunal to know what action was taken by respondents no.1, 2 and 3 thereon.

11. Law Officer, however, states that officer concerned shall make endeavour

to decide the issue involved in this OA within six weeks from today. On the next

date entire information as indicated hereinabove should also be produced.

12. It would be highly appreciated if the respondent no.1 issues suitable

directions to decide long pending issues generally and at least when such issues

are brought before this Tribunal.

13. For compliance of foregoing para nos.10 to 12, S.O. to 17.10.2016.

14. Steno copy and hamdast is allowed. The Ld. PO is directed to communicate

this order to the respondents.

(A.H. Joshi, J.)

1.9.2016

Dictation taken by: S.G. Jawalkar.

D:\JAWALKAR\Judgements\2016\9 September 2016\OA.662.16.J.9.2016-DLRane-SO.17.10.16.doc